App. F. IX-4

Previous References

1936. (Mng.)

File No. 106-36

Serial Nos. 1-15

Letter References

Mng/147.39.(1-2)
Agri/D-4/357-39.
4 " 147-39-(3-12)
11 " 87-46-1-6

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Figleaf.

Part B for Sept 39

SUBJECT.

Re exemption of certain Inam lands in Hongarahalli Sringeri Circle to the Sri Kudli Mutt.

(1.15) G.O. No. 2004-6./Mng. 106 36-15 dy 12/5/39

To. The Mng Commr
The Comptroller.
The D.C. Shimoga

WD 0295—GPB—22,500—13-8-37

Approved.

3/10/39.

APP F. III—1] 1936-37

GENERAL AND REVENUE SECRETARIAT.

(Mines)

NOTES.

File No. 106 36

FILE HEADING.

Resumption of certain inam lands in Ha[illegible] ... to H.H. the Kodi Raja of [illegible]

FROM

The M.C. ... city

No. 1476/36. Dated 17.10.'36 Received 21.10.'36

Diary No. 316	Enclos.	Spare copies	Serial No.

BRIEF ABSTRACT OF LETTER

Requests the issue of orders to the Revenue Authorities to extend the privileges in the matter of resumption of inam lands in the Ramnad Estate, in connection with the [illegible] inam lands and House sites granted to the Kodi Raja of [illegible].

NOTES AND ORDERS.

(1) The M.C's letter is fully represented. Law Section may be consulted in the matter.

BJS 27/10 2) Under section 30 of the Religious and Charitable Institutions [illegible] the alienation of the given lands [illegible] to Subba Dikshit, the father [illegible] in his whose possession they are now, invalid, as the alienations were made in 1906.

NOTES—First Sheet

WD 02552—GPB—5,000—10-7-30

2630
P

File No of 193 . | General and Revenue Secretariat

forwarded. (Vide letter No. 174 of 35-36 dated 10th Oct. 1935 of the Agent of Sri Kudli Sringeri Mutt). The Inspector Genl. has therefore ordered that action should be taken to resume the lands. | J

| R & L

The Dy. Comr., Shimoga Dt., has ordered the Sub-Divn. Officer, Shimoga, to take necessary action, and to submit a report. (Dl. Dis. Insp. I. C 364 of 36-37 dated 25th Aug. 1936). | L

| L

It is not therefore clear why the Inspr. Genl. wants the decree of the Munsiff's Court, Shimoga, to be enforced, although it is disadvantageous to the Matt. The Matt has to give up some of its lands and its claim to arrears of rent amounting to Rs 1726-5-5, besides paying a sum of Rs 50 per annum, if the decree is enforced. By enforcing the decree Govt. admit the claim of Sri. Yegnanarayana Dikshit to the lands awarded to him as a result of the compromise. It is therefore a point for consideration whether such a course will not estop Govt. from denying his claim and thereby prevent the resumption of lands.

| P.H.D

| K

28.10

Put Secy Law Section with compliments for favour of opinion

2/29/10/36

Law S

pore 31/10

General & Revenue Secretariat. | File No. | of 193 | [App. F. III–2

Serial No.

4 No information is available as to what the subject matter of the dispute was in O.S. 196 of 30-31 in the Munsiff's Ct, Shimoga. A copy of the Compromise petition is also not in the file. All the records connected with this suit & the final Judgment & decree passed therein may kindly be obtained for examination of the questions raised.

XB

XA

5 From the information furnished in the several reports made by the Sett Agent, it appears the Compromise effects certain alienations in favour of the Plff. It may be perhaps legally possible to get rid of these alienations under Sec 30 of Regn VII of 1927 but the difficulty will be to work out the benefits derived under the Compromise by the Petr. If these benefits could be otherwise secured, it may be perhaps desirable to get rid of the entire Compromise and settle the dispute in accordance with legal rights & liabilities. However to give any definite advice in the matter, the references called for above are necessary.

Assessment sheet with Comp Sr

10/11

6 A draft to the D.C is forwarded.

7

12/11/–

TYPING SECTION, 14 NOV 1936, GENL. & REV. SECTT.

NOTE—Contn. Sheet.

File No. 196 of 193 6

"General and Revenue Secretariat"

2

1131

Land Revenue Secretariat

File No. 106 of 193 [illegible]

[App. F. III—2

Serial No.

10) It is respectfully submitted that the M.C. in his letter of 19.10.36 refers to the reports of 2.8.35, 10.10.35, 31-36, 12.6.36 & 12-10-36 submitted by the Govt Agent. It is not the S.D.O's reports as called for in this Office letter No 1092 of 4.2.37 to which P.U.A. 11 is a reply. The M.C: What is wanted are the Govt Agent's reports of the dates specified above.

11) The records that have been already received here contain only the Agent's report of 3.1.36, & none of the remaining reports of the Govt Agent are found therein. It appears, these will be called for as the M.C. says that a full history of the case is given in these reports — for orders —

GS 25/37/3.37/1

12) A. They may be called for

2/27/3/-

D/h and—3

GS 2-13/30.3.37.

13) Inv. 2/30/3/-

Letter No 1338 of 31-3-37 to the Mvg'rai Commissioner Calling for certain additional papers on the subject —

Rho 4 31/3

NOTE—Contn. Sheet.

WD 0117—GPB—30,000—8 9 36

268 Resumption of
in the village of Hangarahalli,
to the Sri Kudli Sringeri Mutt 57

Revz File No. 106 of 1936. General S

Serial No.

Letter No C 196/35-36 dated 30-4-1937
From the Munsif Commissioner
Submits the records containing the reports
of the Government Agent.

The records contain the copy of the
order in O.S. No 196 of 30-31 on the file of
the Munsiff's Court, Shimoga. this and the
~~records~~ Govt. Agents reports referred in O.U.D. IV
~~14) Subject with reference to para 5 supra~~
give all the available information on
6/4 this point referred to by the Asst. Secy.,
Law section, in para 5 of the notes.

6.4.37.

Asl. Secy
Law N.C)

2
6/4/-

The question for
consideration is whether the decree assigned
to the Mutt by Mr Yegna narayan Aikoni
may be executed without prejudice to
the enquiry that is proceeding under
section 30 of the Regn VII of 1927.

I think the question
should be answered in the affirmative.
The inquiry from Revenue Officer under
section 30, has nothing to do with the
execution of the decree in question which
would be an act of the Mutt. As things
stand, the compromise decree will be

General and Revenue Secretariat | Mg. File No. 106 of 1935. | [App. F. III—2

Serial No.

binding between the parties to the compromise, until the arrangement thereunder is possibly disturbed as a result of the inquiry under Section 30. But till such a contingency happens, it is necessary and desirable that the decrees in question should not be allowed to be barred by time, and that execution proceedings should be taken.

17 I may however observe that the Mutt cannot equitably have the benefits of both the compromise decree and an inquiry under Section 30 - If as a result of an inquiry under Sec. 30, all the Inam lands in dispute are restored to the Mutt, even the circumstances may demand that the Mutt should render accounts to Mr. Yegnanarayana Dikshit, regarding some of the benefits which it had derived under the compromise decree. At that stage it would not be advantageous to the Mutt to find that the decrees which had been assigned in its favour, under the Compromise decree, have been allowed to be barred by time.

BNR 19-4-37

(Gen. Secy)

GENERAL SECRETARY. 20 APR. 1937 1499

NOTE—Contn. Sheet.

WD 0417 -GPB—80,000—6-9-36

958

File No. 106 of 193 . General

Serial No.

Mur Secn Please flag the paper which gives the facts of the case — What are the courses now open & what is the comparative advantage of each? XXX Inv 29/4

K. J. N P

The references which contain full facts of the case are marked K.J.N. R.P.

2) There seem to be only two things to be attended to in this case. Viz execution of the decree and holding of an enquiry under S. 30 of the Regulations. Both these things have to be attended to, by Govt itself but only in different capacities. In the matter of execution of the decree, since the Trust is now under Govt. management as the Agent of the Trust Govt will have to execute the decree and realise the decree amounts as best it could, as otherwise it may be liable to the Trust, for its latches in this respect. Regarding holding an enquiry under S. 30. of the Regulations, Govt/Government is the chief controlling Revenue authority (Government power) under S. 3 of the

Resumption of certain inam lands by Govt

Serial No.

Regulation and it can take such action as may be necessary to deal with the wrongful alienations of the deities, a inam. The Deputy Comm has already taken action under instructions from the H.C. in this respect and the result of the enquiry is awaited.

22 In the circumstances the only course seems to be to execute the decrees in question (it is presumed that none of these is time-barred), without prejudice to the enquiry under S. 30.

23 Submitted with reference to paras 18-19 supra

R

24 The Agent of the matt gives in his report dated 2nd August 1935 gives in detail the advantages of accepting the compromise entered into by the matt. But as stated by the Dy. Comr., Shimoga dt., in his letter No. D. Dis. Inam. C. 2208 dated 13th July 1936 there is no necessity to enter into any compromise, since all the alienations can be set aside by under Sec. 30 of the Religious and Charitable Institutions Regulation. If this is done there will be no necessity to give

NOTE—Contn. Sheet.

WD 0417--GPE—30,000—8 9-36

Resumption of certain inam lands of Sri Kudli Shringeri matt.

Mysg File No. 106 of 1936. | General and Revenue Secretariat

Serial No.

Srikshit any of the lands proposed to be given free or ½ half-free mentioned in the report of the Agent of the matt dated 2nd Aug. 1935. The Mysore Comr. has requested the Dy. Comr., Shimoga Dt., to take steps to set aside the alienations. (Vide his letter no. C.196 dated 6th Aug. 1936). The Dy. Comr., Shimoga Dt., has issued orders to the Sub-Divn. Officer, Shimoga, to take necessary action and in the matter and to report the result. (Vide his order no. R1. Dis. Mysg. I.C. 304 dated 25th Aug. 1936. The Mysore 36-37 Comr. may be to go. requested to report the result of the action taken to resume the alienated inam lands of the matt.

K

X

L

As regards decrees made over to the matt by Mr. Seshamayana Srikshit, the allegation is mentioned in the notes of the Asst. Secy., Law Section, contained in paras 15 to 17 of the notes.

GENERAL SECRETARIAT
20 APR. 1937
1842

30.4.37.

Cyan Secy.) Will Asst Secy Law please speak to me re this case some time?

30/4

Resumption of certain Inam lands in [illegible] (11.

958

General and Revenue Secretariat | Misc. | File No. | of 193 | [App. F. III—2

Serial No. 27.

As Govt we are trying to cancel the alienation of Inam to Yegnanarayana Dikshit. As Mutt's agent we have to keep to an understanding to which he & the Mutt came before we became agent.

Under the latter we hold certain decrees assigned to the Mutt by Yegnanarayan Dikshit.

28 Whatever the issue of the proceedings for cancellation of alienation of Inam these decrees have to be kept alive. The Dy Comr may therefore apply for execution.

Whether we carry the proceedings further may be examined after getting information about the nature of the decrees assigned, the solvency of the judgment-debtors and the desirability of not delaying execution.

29

Instructions will issue in this sense [illegible]

Rev
3/5/37

MR
3/5

First Member

30

3/5
Rev
6/5

OFFICE OF THE FIRST MEMBER BOARD OF REVENUE
3 MAY 1937
No. 1208

7/8/37

NOTE—Contn Sheet.

WD 0417 -GPE—30,000—8-9-36

12)

File No. 106 of 193 .

General

Serial No.

Submit with a draft reply to the

TYPING
4-20
MAY 193

The report of the S.D.O. to the D.C. Shimoga is submitted for perusal. It is seen from the report that action has been taken to execute the decrees as suggested. Regarding the action suggested to be taken under S. 30 of the Regulation, it is proposed that necessary action has been instituted to hold an enquiry into the matter and a further report on the receipt

Resumption of certain lands in Tirunelveli Dist. (13

General and Revenue Secretariat — File No. 10[illegible] of 193[illegible] — [App. F. III—2

Serial No.

What action is proposed to be submitted in due course.

33) No further action seems therefore called for in the case and if approved the file will be closed.

Reference: Govt. Lr. No. [illegible] 27-30 Supra

17/12/37. Govt. have not passed final orders on the M.C.'s proposal relating to question of instituting execution proceedings in respect of the case of decrees handed over to Sri Kudli Sringeri Matt by Mr. Yegnanarayana Dikshit. They have called for a report on certain points relating to the case in letter No. 1459 Emuy. 106-36-6 dated 11th May 1937. The Anantapur Collr. has promised to submit a further report in the matter. May this be awaited?

35. Submitted for perusal.

14-12-37. The Agent seems to have taken necessary action in the execution applications. No further communication from the Govt. Collr. which he has promised to make may be

P. & D. This is now covered. They have ev'thing except what may be taken (vide cl 3)

F

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—S 9 36

14) Resumption of certain lands belonging to Sri Mudhu Srinivasa Mutty.

3616/37
P 037

Judy. File No. 106 of 1936.

General and Revenue Secretariat.

Serial No.

Govt. Land

Gen. Secy 36. Yes. Asst Secy Law may please see these papers - now sent
Un 14/12
Asst Secy Land
Un 15/12
Hd 16/12

37. I think it is desirable that definite information is obtained whether necessary applications have been filed in time to execute all the decrees assigned by Yegnanarayana Dikshit in favour of the Mutt. In the letter flagged 'A', I find a reference made only to three Small Cause decrees pending execution. My recollection is that a larger number of decrees has been assigned in favour of the Mutt.

BKR
15.12.37

Asst. Secy
Judy. for
WC

GENERAL SECRETARY.
14 DEC. 1937
3416

38. Necessary enquiry might be made
Un 20/12/37
Gen. Secy Yes please
Hd 21/12/37
Un 21.12.37

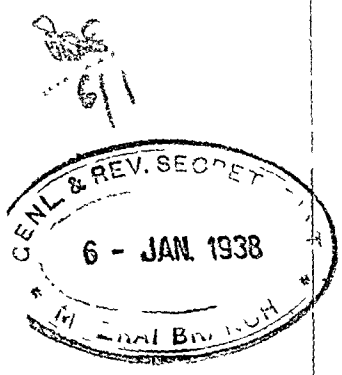
Adarsh Mutt H.C. is perhaps (1) from Un
22/12

GENERAL SECRETARY.
20 DEC. 1937
3585

Mem of costing lands belonging to the Kuria Pinjeni Bench.

General and Revenue Secretariat — File No. 10/c of 1936. — [App. F. III—2

Serial No.	
10	886 dated 28.12.[illegible]
11	letter [illegible]



12/ It is reported that four small cause Decrees were assigned to the Mutsheg'ella Yegua-naragava Ditoshi, that execution applications have been filed in three cases, and that action is being taken to realise the decretal amount in the remaining case. The D.C has promised a further report about the result of action taken in the latter case.

13/ With the above information, the file may kindly be referred to the Law Secretariat with reference to para 37 Supra

Bgs 108 21.2.38.
18/2 21.2.38

Asst Sec'y Gen'l

21/2/38

14/ The action taken seems to be all right. If necessary, the remaining

NOTE—Contn. Sheet.

W.D. 0117—GPB—80,000—8 9-36

(15) Resumption of certain lands belonging

Revenue File No. 106 of 1937. General Secretariat

Serial No.

decree should also be put into execution before it gets barred.

ASKR
21.2.38

Asst Secy
Revenue
WC

Please draft letter to the amendment
Ms
22.2

Submit with a draft reply to the above
Ms

ASKR
26.2.38

GENL & REV. SECRETARIAT
1. MAR. 1938
MUZIMAL BI CH

(16) It is reported that allest warrants have been issued against the Independent Members who are absconding and that the steps taken hitherto keep the decree

re inam lands in Hangurbalki village.

(1)

and Revenue Secretariat — File No. 106 of 193 6 [App. F. III—2

Serial No.

above. It is also reported that necessary action has been taken to have the Inam lands resumed and restored to the Hindu.

4) The receipt of the further report promised will be awaited if approved.

Sub B 1/11/38

28/10 15.10.38.

SD 29/10/38

R 6/11/38 SD

Submd. Lit. draft reminder for inam appl.

13/12/38 14.12.38

SD 14/12/38

Issued R 1326 of 20.12.38 to the Mysore Commissioner. Requests him to submit the further report promised in serial 3.

SWJ 27/12/38

Letter No C 196/38-39 & 5-39 from the Mysore Commissioner forwards a further report as called for by him regarding resumption of inam lands.

5) As regards the question of resumption of the inam lands it is reported that Venkatarangayya Shetti has preferred an appeal against the order of Sub on Nelson discontinuing their resumption and that the case was heard on 1.4.39

NOTE—Contn. Sheet.

WD 0261—GPB—30,000—13 8 37

(8) Resumption Hangarchal Swami case of Sri Kedar Nath

File No. 106 of 1939.	General and Revenue Secretariat

As this is an important case the D.C. Chanda Dr considers that the Respondent Mutt should be represented by a Counsel, as the Appellant is represented by a Counsel. The D.C. has applied by the proposal and requested that his action may be approved, the cost being met from the funds of the Mutt.

A draft G.O. approving of the action of the D.C. is submitted for order.

9/5/39

9.5.39 9.5.39.

9/5/39

5-7) may be approved.
2 members)

9/5

10.5

GENERAL
9 MAY 1939
G 687

OFFICE OF THE
SECOND MEMBER OF COUNCIL
1939
A 801.

ING SEC
1939

20.5.39

12.5.39

The D.C. in Ulgare
Cuddalore
D.C. Chingleput

Approved in the proposal

25/9/39

c 196
36-7

One file of Original Correspondence

GEN'L & REV. SECRETARIAT
416
21 OCT. 1936
MUZRAI BRANCH

OFFICE OF THE MUZRAI COMMISSIONER (19)

Bangalore, 19th October .... 1936.

Muz 106-36-7.

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore

To

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness the Maharaja of Mysore,
General *Department.*

GENERAL SECRETARY.
21 OCT. 1936

SIR,

Resumption of certain inam lands in the village of Hangarahalli, endowed to the Sri Kudli Sringeri Matha.

I have the honor to forward herewith in original correspondence ending with order No.D1 Dis.Muz.1.C.384/36-37 dated 25th August 1936 passed by the Deputy Commissioner, Shimoga District, directing the Sub Division Officer, Shimoga, to take action under Section 30 of the Mysore Religious and Charitable Institutions Regulation in re. the above and to state that the previous history of the case is fully explained in the reports dated 2-8-1935, 10-10-1935, 3-1-1936 and 12-6-1936 submitted by the Government Agent. In his present report dated 12-10-1936, the Agent, while inviting reference to para of his previous report dated 12-6-1936, requests to be informed whether execution proceedings in respect of the decrees made over to the Matha by Mr. Yegnanarayana Dikshit may be instituted. I request you to be so good as to consult the Law Section and let me know whether the decrees may be executed without prejudice to the enquiry that is now proceeding before the Sub Division Officer under Section 30 of the Regulation.

I have the honor to be,
Sir,
Your most obedient servant,

Muzrai Commissioner.

Appendix F G—1]

(20)

SUBJECT .....

.....

.....

Section Mej

File No. 106-36

Serial No. 2

Diary No. of letter replied to .....

No. 691 Incredible

To The H.C in Mysore

Sir,

General and Revenue Secretariat

( )

tne *193*

With reference to your letter No C 196/36-3 dated 19.10.36 regarding the Resumption of certain inam lands in the village of Hangarahalli endowed to the Sri Kodli Linguri Matha I am directed to state that information is not available in the Records received with the letter as to the subject matter of the dispute in O.S. No 196/30-31 in the Munsiff's Court Shimoga nor is a copy of the compromise has been

Date of issue 23-11-36

Signed by Sd/- Illegible Assistant

List of enclosures .....

Copied by .....

Examined by .....

WD 01956—GPB—22,500—12-6-34

(21) petition been sent to your Dam
petitioning and to Request
You to be so good as to obtain
and furnish all the Records
connected with the suit and
the final judgment and decree
passed therein, for the information
of yours.

The Records received with
your letter are referred to and Returned
herewith for reference and
Returnment

Thanks &c

2/12/11-

For Ry and Log Inspector
BJS
11/11

(2v)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 691 Incfile Mej 106-36-2 *Dated, Bangalore,* 22nd November 193 6

23 m

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

With reference to your letter No.C.196/36-37 dated 19th October 1936, regarding the resumption of certain inam lands in the villages of Hangarahalli endowed to the Sri Kudli Sringeri Matta, I am directed to state that information is not available in the records received with the letter as to the subject matter of the dispute in O.S.No.196/36-37 in the Munsiff's Court, Shimoga, nor has a copy of the compromise petition been sent to Government. I am to request you to be so good as to obtain and furnish all the records connected with the suit and the final judgment and decree passed therein, for the information of Government.

The records received with your letter referred to above are returned herewith for reference and retransmission.

I have the honor to be,
Sir,
Your most obedient servant,

Mir Nasar Ulla

for General Secretary to Government.

S.R.2

(23)

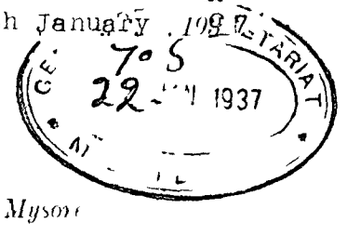
No. C.196/35-36

Cancls-Memos

MW 106-36-3

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 19th January 1937

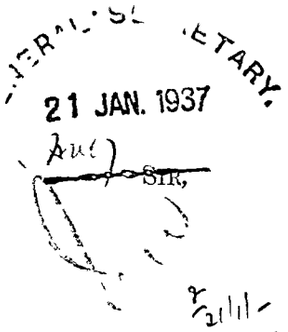


FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore

To

M. Venkatesa Iyengar, Esq., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
General *Department*



SIR,

Subject:- Resumption of certain inam lands in the Hanjarahalli village endowed to the Sri Kudli Sringeri Mutta.

With reference to your letter No.691/Muz.106-36-2 dated 23rd November 1936 regarding the above, I have the honor to forward herewith the entire records received with letter No. Mz.1.C.1546/36-37 dated 11th January 1937 from the Deputy Commissioner, Shimoga District. A copy of the final judgement and decree has not been sent but a certified copy of the compromise petition in terms of which the decree was passed is enclosed in the records.

2) I request to be favoured with instructions whether the decrees made over to the Mutta by Mr. Yegnanarayana Deekshit may be executed without prejudice to the enquiry under Section 50 of the Mysore Religious and Charitable Institutions Regulation and without creating an opportunity to Mr. Yegnanarayan Deekshit to claim the annuity of Rs.50/- in terms of the compromise decree. An early reply is requested.

I have the honour to be,
SIR,
Your most obedient servant,

F. V. Anantaraman

Muzrai Commissioner.

BR.

(24)

endix F G—1]

SUBJECT.....

.....

.....

Section Mcz

File No. 106—36

Serial No. 4

Diary No. of letter replied to .....

No. 1092

To The M. in Mysore

Sir,

General and Revenue Secretariat

( )

the *193* .

Date of issue 4-2-37

Signed by Mir Safdar Hussain

with reference to correspondence ending with your letter No C 196/35-36 dated 19.1.1936 regarding resumption of certain waste lands ~~enclosed~~ in Hangal Kumsi Sub-Taluk, Haveri Village, enclosed to the Inam Kandli Singari Mutha I am directed to request you to be so good as to forward the connected records containing the reports of the Sub Inspector, Shiggaon referred to in your letter of the 19th October 1936 which were ~~and~~ enclosures with this office letter dated 23.11.36. as they are required for reference here

List of enclosures.....

Copied by 1.2.37 4.2.37

Examined by .....

WD 0253—GPB—15,000—26-8-32

In due course

(28)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated,... 4th Feb 1937

No. 1092
Mez 106-36-4

From

M. Venkatesa Iyengar, Esquire, M.A.,
General Secretary to the Government of His Highness the Maharaja of Mysore.

To

K.V. Anantaraman, Esquire, B.A.,
Muzrai Commissioner in Mysore, Bangalore.

Sir,

With reference to correspondence ending with your letter No. C. 196/35-36 dated the 19th January 1937 regarding the resumption of certain inam lands in Hangarahalli Village, Kumsi Sub Taluk, endowed to the Sri Kudli Sringeri Mutt, I am directed to request you to be so good as to retransmit the connected records containing the reports of the Sub Division Officer, Shimoga referred to in your letter of the 19th October 1936 which were returned with this office letter dated the 23rd November 1936 as they are required for reference here.

I have the honor to be,
S i r ,
Your most obedient servant,

Sir Sajan Rao

for General Secretary to Government.

P.H.

S

M C 13.1
No. C.196/35-36

GENL. & REV. SECRETARIAT
9 MAR. 1937
873
(36)

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 5th March 1937

8

Mez 106-36-5

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore.

To

M. Venkatesa Iyengar, Esq., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
General .....*Department.*

GENERAL SECRETARY.
9 MAR 1937

SIR,

2/9/37

Resumption of certain lands in Kurudi, Puttur Taluk, belonging to the Sri Mudli Shringeri Mutt.

With reference to correspondence ending with your letter No.1090/Muz.106-36 dated 4th February 1937 re. the above, I have the honor to state that the entire records connected with the case were sent with this office letter of the 30th January 1937, and that there are no further papers arising on the subject.

I have the honor to be,

Sir,

Your most obedient servant,

M. Ananta Raman

Muzrai Commissioner.

(22)

end F G—1]

SUBJECT .....

.....

.....

Section Misc

File No. 106-36

Serial No. 6

Diary No. of letter replied to ....

No. 1338 Rev 1 file

To The M.C

Sir,

With reference to your letter no C 196/35-36 of 8/3/37 in the matter of the resumption of certain lands in Nangavalli Amsi Arb TK belonging to Sri Kudli Venugopal Mull, I am directed to state that the records so far received from you on the subject contain only copy of the Govt Agents report of 3.1.36, and to request you to be so good as to forward for reference copies of the Agents reports of 2.8.35, 10.10.35 and 12.6.36 & 12.10.36 for the State

General and Revenue Secretariat

( )

the *193* .

Date of issue 31-3-37

Signed by Mr Mir Safdar Hussain

List of enclosures .....

Copied by .....

Examined by QW 31/3 .....

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat (29)

No. 1338 *Bangalore, Dated,* 31st March 1937

Muz 106-36 & Enc 1 file

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner

in Mysore, Bangalore.

Sir,

With reference to your letter No. C.196/35-36 dated 8th March 1937 in the matter of the resumption of certain lands in Hangarahalli, Kumsi Sub Taluk belonging to Sri Kudli Sringeri Mutt, I am directed to state that the records received from you on the subject contain only copy of the Government Agent's report of 3rd January 1936 and to request you to be so good as to forward for reference copies of the Agent's reports dated 2nd August 1935, 10th October 1935, 12th June 1936 and 12th October 1936 since you state in your letter of 19th October 1936 that the previous history of the case is fully explained in these reports.

The records received so far are herewith returned for reference and retransmission.

I have the honour to be,

Sir,

Your most obedient servant,

Mir Safdar Hussain

for General Secretary to Government.

SS

TSS.

M C.137

No. C.19.6/35-36

Encls: 2 files

GENL. & JUDL. SECTT. - T. RIAT
958
5 - APR. 1937

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 1st April 193 7

Muz 106-36-7

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore.

To

V. Vedavyasacharya, Esq., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
.....General.....*Department.*

GENERAL SECRETARY.
3 - APR. 1937

SIR,

With reference to your letter No.1338/Muz.106-36 dated 31st March 1937 re. the resumption of certain lands in Hangarahalli, Kumsi Sub Taluk, belonging to the Sri Kudli Sringeri Mutt, I have the honor to forward herewith in original correspondence ending with order No.D1 Dis.Muz.1.C.384/36-37 dated 25-8-1936 passed by the Deputy Commissioner, Shimoga District, directing the Sub Division Officer, Shimoga, to take action under Section 30 of the Religious and Charitable Institutions Regulation re. the above, and to state that the Government Agent's reports dated 2-8-1935, 10-10 1935, 12-6-1936 and 12-10-1936 are also enclosed in the records referred to above.

The records received with your letter are also returned herewith for reference and return.

I have the honor to be,

Sir,

Your most obedient servant,

K V Ananta Raman

Muzrai Commissioner.

ix F G—1]

(31)

SUBJECT .....

.....

.....

Section Mucz

File No. 106-36

Serial No. 8

Diary No. of letter replied to .....

No. 1489 Income Tax &c.

To The M.C.M. Madura

Sir,

With reference to correspondence ending with your letter No C 196/386 dated 3.4.1937 regarding the resumption of certain lands in Hanagasahalli, Kunsi Sub-Taluk belonging to the Inamdar Sirajuddin Sahib, I am directed to forward herewith a copy of legal opinion in the matter and to request that action may be taken at once to apply for the execution of ~~the decrees~~ the decrees in question, without prejudice to the ongoing enquiry under Section 30 of the Regulation. A The connected records with

General and Revenue Secretariat

( )

the 193

Date of issue 13-5-37

Signed by Mir Safdar Hussain

x paras 15 to 17 and 27 and 28

List of enclosures .....

Whether steps should be taken to carry the proceedings further will be considered on receipt of information from you about the nature of the decrees assigned, the relevance of the disputed debtors and the divisibility of the decrees.

Copied by .....

Examined by .....

HIS HIGHNESS THE MAHARAJA OF MYSORE (33)

General and Revenue Secretariat

Bangalore, Dated, 11th May 1937.

No. 1489 Inc 1 and 2 file 1356.
Mey 106-36-8

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

With reference to correspondence ending with your letter No.C.196/35-36 dated 3rd April 1937 regarding the resumption of certain lands in Hangarahalli, Kumsi Sub Taluk, belonging to the Sri Kudli Sringeri Mutt, I am directed to forward herewith a copy of legal opinion in the matter and to request that action may be taken at once to execute the decrees in question, without prejudice to the enquiry under Section 30 of the Regulation. Whether steps should be taken to carry the proceedings further will be considered on receipt of information from you about the nature of the decrees assigned, the solvency of the Judgment debtors and the desirability of not delaying execution of the decrees.

The connected records received with your letter are returned herewith.

I have the honor to be,
Sir,
Your most obedient servant,

Shiv Sajan Shinde

for General Secretary to Government

S.R.2/ nc.1

Mewr 106-36-7 (34)

C 196/35-36
Encl 2

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE.

Bangalore,... December 19

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

L. Venkatesa Iyengar, Esq., B.A.,
General Secretary to the Government of Mysore,
BANGALORE.

SIR,

Re. resumption of certain lands in Nedenahalu, Kamsi Sub Indam, belonging to Sri Kudli Sringeri Mutt, and execution of certain decrees assigned to the Mutt.

With reference to your letter No.1489/Muz.106-36-8 dated 15th May 1937 re. the above, I have the honour to forward herewith, for information, a copy of letter No.Muz.C.1546/36-37 dated 12-11-1937 together with that of its enclosure, received from the Deputy Commissioner, Shimoga District, and to state that the Government Agent Sri Kudli Sringeri Mutt has been asked to take necessary further action in the matter, as requested by the Deputy Commissioner. The Deputy Commissioner will be requested to submit a further report in the matter and on receipt of the same, a further communication will be made.

I have the honour to be,

Sir,

Your most obedient servant,

M. N. Anandalwar.

for Muzrai Commissioner.
(Absent from the Station)

(35)

Letter No.Huz.S.1346/36-37 dated 12-11-37 from the Deputy Commissioner, Shimoga District, to the Huzrai Commissioner in Mysore.

Subject:- Regarding the resumption of certain lands in Mangarahalli village, Sirsi Sub Taluk, belonging to Sri Hudli Sringeri Mutt.

With reference to your letter no.J.196/35-36 dated the 5th September 1937 on the above subject, I have the honor to enclose herewith, a copy of the Shimoga Sub Division Officer's reply No.R3-S.476-203/36-37 dated the 3rd November 1937, and to request that in the circumstances reported by him therein, the Government Agent may be kindly requested to direct the Sub Division Officer at an early date.

"COPY"

M. N. Srinivasa Murthy.

For Huzrai Commissioner.

(36)

Letter No.RS-T.476-[illegible]/36 dated 7-11-37 from the Assistant Commissioner, Shimoga Sub Division, Shimoga, to the Deputy Commissioner, Shimoga District.

Reference:- Memo No.Huz.S.1046/36-37 dated 28-10-37 from the Deputy Commissioner, Shimoga District, calling for report regarding the resumption of certain inam lands in Mandgadal village, Bhadravati Sub Taluk, which are to be granted for distribution among the Harijans of the said village etc.

Submitted to the Deputy Commissioner, Shimoga District.

With reference to the above, it is to be mentioned that immediately on receipt of your memo No. Huz.S.1046/36-37 dated 19-9-1937 regarding a copy of the General Secretary's letter No.1439/Huz.I-36 dated 16-8-1937 addressed to the Huzur Commissioner, the Government Agent of the unit was addressed in this behalf vide RS-T.476-[illegible]/36 dated 20-9-37 to see if convenient to meet the Government Agent, Shimoga on 21-9-37, to take action as may be taken in consultation with him to execute the decree/pending, as desired in the above letter dated 19-9-37. The Agent, already, had written in his letter No.C78/36 dated 17th June 37 that he had no objection to this case in the previous month alone, which he was prepared to do in order to the execution of these cases if that could be executed. He had already various plots also in his favour. But before he could carry out the same, some legal doubts arose in execution. As regards the question of the alienation section 10 of the Religious Charitable Institution regulation arose and the undersigned that he could go over some points the matter with full [illegible] and, therefore, he wanted to meet the undersigned, either on the 30th or the 31st July 1937. He could not come on the said dates, but [illegible] from Headquarters on Government work, as intimated in his letter No.RS/37-38 dated 30-7-1937. He was, therefore, again requested to meet the undersigned on the 10th August 37. Even on this date, the Agent did not turn up. Since the report was submitted to your office in this connection [illegible] dated 31st August 37 stating that he [illegible] meeting that the Agent himself on the next occasion [illegible] to get the persons concerned, who may be instructed to complete the result of these [illegible] Russell and the [illegible]

As regards the action to be taken under section 30 of the Religious Charitable Institutions regulation regarding which I had already mentioned, necessary action has been instituted to hold an enquiry into the matter. Notices for the appearance of the parties had been issued for 26-1-37. On both the occasions, the parties did not appear. The notices were returned unserved. Hence, fresh notices have to be issued [illegible] before the enquiry can be taken up and

s racticable and to submit a report in the matter.

"JOFY"

M. N. Bramhall

or Fuzrai Commissioner.

(37)

dix F G—1]

SUBJECT .....

.....

.....

Section Mwy

File No. 106-36

Serial No. 10

Diary No. of letter replied to.....

No. 886

To

The M.C in Mysore

Sir,

General and Revenue Secretariat

( )

the *193*

With reference to correspondence ending with your letter No C 196/35-36 dated 9-12-1937 regarding resumption of certain lands in Hanyarahalu Kunsi Lubtaluk belonging to Sri Kadli Linjari Mutt and exemption of certain decrees assigned to the Mutt, I am directed to enquire how many decrees with details have been assigned by the Yagna narayana Dikshit in favour of the Mutt and whether action has been taken to file necessary executive applications in time for execution of all these decrees and to let the Secretariat

Date of issue 28/12/37

Signed by .....

List of enclosures.....

Copied by .....

Examined by.....

agent, it is seen
that a reference is made to three
small cases decided ~~pending~~ only
~~the~~

Thanks

Un
26/m
Dr Saul Levy
27/2

Muz. 106-36-11 (29)

No. C196/35-36. Encl 2

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

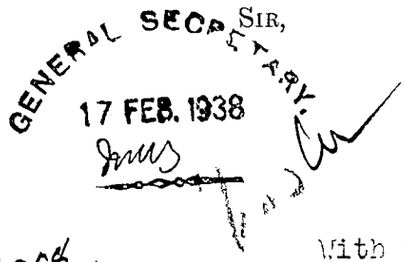
Bangalore, ..14th..February.. *1938*.

FROM

K. V. Anantaraman, Esq., B.A.,
The Muzrai Commissioner in Mysore.

To

M. Venkatesa Iyengar, Esq., M.A.,
General Secretary to the Government
of Mysore, Bangalore.



SIR,

Resumption of certain lands in Nangarahalli Inam Village, Sumsi Sub Taluk, belonging to Sri Kudli Sringeri Mutt and execution of certain decrees assigned to the Mutt.

A958 Encl 26/11/37

With reference to correspondence ending with your letter No. 886/Muz.106-36-10 dated 28-12-1937 re. the above, I have the honor to forward herewith, for information, a copy of report No.383/37-38 dated 18-1-1938 from the Government Agent of Sri Kudli Sringeri Mutt, reporting that four Small Cause Decrees were assigned to the Mutt by Mr. Venkataramana Dikshit, that executions were filed in three cases and that in the other case, action is being taken to recover the decretal amount.

The Deputy Commissioner, Shimoga District, from whom also a report had been called for in the matter, has stated, in his letter No.SS Muz.3.1746/36-37 dated 2-2-1938 (copy enclosed for information), that it is reported by the Sub Division Officer, Shimoga, that as the filing of execution applications in three Small Cause Decrees had been entrusted to the Mutt Lawyer, directly, by the Government Agent of the Mutt, who has now met him in this behalf, he could take no action. It is also reported that the Sub Division Officer has issued a notice to Mr. Dikshit and also the Government Agent, to meet him; and that, after ascertaining the necessary particulars from them, a further report would be submitted.

On receipt of further reports in the matter, another communication will be made.

I have the honor to be,
Sir,
Your most obedient servant

No.383/37-38
18-1-38

(40)

Submitted to the Muzrai Commissioner.

Reference:- Memo No.C.196/35-36 forwarding a copy of letter No.886/Muz. 106-36-10 dated 28-12-37 from the General Secretary to Government, calling for information as to the number of decrees assigned by Mr. Yegnaharain Dixit in favour of the Sri Kudli Sringeri Mutt, and action taken for filing execution application, in time, in these cases.

Submitted.

It is seen from the records that only four (4) small cause decrees were assigned to the Mutt by Mr. Yegnanarain Dikshit, and on receipt of orders (vide C.196/35-36 dated 14-5-37), executions were filed in three cases which were about to get time-barred, and the other case action is being taken to recover the decretal amount.

- Sd.- B. Ramaswamaiya,
Govt. Agent,
Sri Kudli Sringeri Mutt.

"Copy"

Mallikarjuniah

For Muzrai Commissioner

Letter No.Muz.C.1346/36-37 dated 2-2-38 from the Deputy Commissioner, Shimoga District, to the Muzrai Commissioner in Mysore.

Subject:- Re. resumption of certain lands in Hangarahalu inam village in Kumsi Sub Taluk, belonging to Sri Kudli Sringeri Mutt and execution of certain decrees assigned to the Mutt.

With reference to your Memo No.C.196/35-36 dated the 6th January 1938, forwarding for report, the General Secretary's letter No.886/Muz. 106-36-10 dated the 25th December 1937, on the above subject, I have the honor to forward herewith the report No.R3-C.476-208/36-37 dated the 23rd January 1938, received from the Sub Division Officer, Shimoga, and to state that he has reported therein, that as the Government Agent of the Sree Kudli Sringeri Mutt had entrusted to the Mutt Lawyer, directly, the filing of execution applications in three small cause decrees assigned by Mr. Yajnanarayana Dikshit to the said Mutt and that as the Government Agent has not met him in this behalf, in spite of several communications sent to him therefor, he could take no action in this respect. He has further reported that he has now issued a notice to Mr. Diksit to meet him on 1-2-1938 as also the Government Agent and that after ascertaining the necessary particulars from them, he would send a further report in the matter. I have also issued strict instructions to him to pay special attention in this behalf and submit a report within a week.

"COPY"

Mallikarjuniah

For Muzrai Commissioner.

(42)

F G—1]

SUBJECT .....

.....

.....

Section Revy
File No. 196-36
Serial No. 12

Diary No. of letter replied to .....

No. 1185

To The M.C in Mysore

Sir,

General and Revenue Secretariat

( )

the *193*

Date of issue 25th February '38

Signed by Mr. S. N. Venkatramana Iyer

With reference to correspondence ending with your letter No C 196/35-36. dated 14. 2. 1938 regarding resumption of certain lands in Hanyarahalli Inam village Kunsi Sub taluk, belonging to Sri Veerlli Sanjeeva Murthy and execution of certain decrees assigned to the deity by Mr Yagna Narayana Dikshit, I am directed to state that the action reported to have been taken in the matter is all right, with reference to the execution proceedings or decree copies in lieu thereof, and that if necessary, the remaining decrees should also be put

List of enclosures .....

Copied by .....

Examined by .....

WD /1—GBPM—40,000—20-7-31

Ihnen ist abraten

Ihnen

Ihr

Paul Lechler

(49)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 485/Mucy 106-36-12 *Bangalore, Dated,* 24th February 1938.

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

With reference to correspondence ending with your letter No.C. 196/35-36 dated 14th February 1938 regarding the resumption of certain lands in Hangarahalli Inam village, Kumsi Sub Taluk, belonging to Sri Kudli Sringeri Mutt and execution of certain decrees assigned to the Mutt by Mr. Yagna Narayana Diksnit, I am directed to state that action may be taken if necessary to put into execution the remaining decrees also before it gets barred by limitation. The receipt of further report promised by you is awaited.

I have the honor to be,

Sir,

Your most obedient servant,

For General Secretary to Govt.

c.n.2

B.G.

(45)

Mys 106-36-12

[13] No. C196/35-36

E2

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE, 27. OCT. 1938

Bangalore, 21st October 1938

25

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore.

To

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
.....General.....*Department.*

GENERAL SECRET
26 OCT. 1938

SIR,

Resumption of certain lands in Hangarahal Inam Village, Kumsi Sub Taluk, belonging to Sri Kudli Sringeri Mutt and execution of certain decrees assigned to the Mutt.

With reference to correspondence ~~to correspondence~~ ending with your letter No.1185/Muz.106-36-12 dated 25-2-1938 re. the above, I have the honor to state that the Government Agent, Sri Kudli Sringeri Mutt, in his report dated 30-7-1938, reported that the question of the resumption of the lands in question was pending with the Sub Division Officer, Shimoga, and that as regards the execution of the decrees, arrest warrants were obtained against the judgment-debtors who are absconding and that the steps taken, however, keep the decrees alive for execution.

The Deputy Commissioner, Shimoga District, in his letter No. C.1346/36-37 dated 13-10-1938, has reported that the Sub Division Officer, Shimoga, has, after enquiry, passed orders on 15-8-1938, directing the resumption of inam lands in question and their restoration to the Mutt under Section 30 of the Mysore Religious and Charitable Institutions Act of 1927 and that as possession of the inam lands can be resumed only after the lapse of six months from the date of the service of Notice on the alienee, the Sub Division Officer has been asked to cause Notice to be served on the alienee and take possession accordingly.

herewith for information.

The Deputy Commissioner has been requested to report the stage at which the matter re. the execution of decrees stands at present, and on receipt of his reply, a further communication will be made.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

Letter No.Muz.C.1346/36-37 dated 13-10-38 from the Deputy Commissioner, Shimoga District, to the Muzrai Commissioner in Mysore.

Subject:- Resumption of certain inam lands endowed to Sri Kudli Sringeri Mutt in Hangarahal village, Kumsi Sub Taluk, and their restoration to the Mutt.

With reference to correspondence ending with your D.O. letter No. C.196/35-36 dated 9-8-38 on the above subject, I have the honor to state that the Sub Division Officer, Shimoga, has after enquiry passed orders on 15-8-1938 directing the resumption of the inam lands in question and their restoration to the Mutt under Section 30 of the Mysore Religious and Charitable Institutions Act of 1927. A copy of the order passed by him in Mis.208/36-37 dated 15-8-38 is herewith enclosed for kind reference. As possession of the inam lands can be resumed in this case only ~~under~~ after the lapse of six months from the date of the service of notice on the alienee, I have asked the Sub Division Officer to cause notice to be served on him and take possession accordingly.

"Copy"

A. N. Aramkhan.

For Muzrai Commissioner.

(48)

In the Court of the Assistant Commissioner, Shimoga Sub-Divi

Muz. Mis. 208/36-37.

Government VS Yagnanarayan Likshit.

Re: the resumption of certain Inam lands of Hangrahal Inam village endowed to Kudli Sringeri Mutt.

I have heard the arguments of Mr. H. Ranganatha Rao Counsel for the opponent and perused the records.

Hangrahal is an Inam village in Kumsi Sub Taluk endowed for the support of the Kudli Sringeri Mutt.

The Survey Numbers noted in the margin were granted to Subba Likshit the father of the opponent by means of a "Danapatra" by the Swamy of the Mutt in the year 1860-61. It is seen from the records that in the year 1882 when an attempt was made to take possession of the lands Subba Likshit declined to restore the lands to the Mutt (vide his statement dated 18-8-1882)

S.Nos. 2, 3, 4, 5, 6, 7, 123, 124, 125 and 90/2
(Maji S.Nos. 2,3,4,5,6,99, 100, 101 and 70 part)
of Hangrahal village.

Thereupon a notice dated 18-8-82 was issued by the Deputy Commissioner to Subbalikshit informing him that the alienation of these lands was illegal as per terms of the Chief Commissioner's No. 7480/24 dated 17-11-1877 and that the grant was cancelled. The grantee was also directed to surrender the lands to the Mutt within 6 months from the date of service of notice. It is seen from the copy of order No. 576 dated 10-8-82 by the Deputy Commissioner to the Amildar Honnali that the above notice was sent to the Amildar for service on the party and the Amildar has been directed to give possession of the lands to the Mutt. It is further seen that Sankara Sastri Agent of the Mutt took possession of the properties. (vide his receipt No. 12/1816 dated 25-4-1894). It is therefore clear from the above that the free grant of the lands made by the Mutt to the opponent's father was cancelled and the lands were restored to the Mutt.

It

between the Mutt and the opponent be in Civil and Criminal Courts for over 20 years about these Inam lands and that both the parties have sustained heavy expenses in this connection. Finally as a result of a compromise between the parties, a decree was passed to put an end to all the litigations Vide O.S. 196 of 30-31, on the file of the Munsiff, Shimoga. It was been agreed amongst other things that the opponent should continue to be in possession of the disputed lands subject to the payment of only cesses, that the accumulated arrears on the lands in the enubhava of the opponent till the date of compromise need not be paid by him and that the opponent should pay Kandayam from "ಶಾಲಿವಾಹನ ಶಕ" and onwards. The Deputy Amildar Kumta submitted a report on 11-3-35 soliciting instructions as to whether the sum of 1726-6-5 due from the opponent upto 31-32 may be remitted as amicably settled as per "ರಾಜಿನಾಮೆ" presented to the Munsiff Court. The Deputy Amildar was directed to address the Government Agent in the matter and to take further action for the recovery of the arrears. Accordingly he made a reference to the Government Agent on 16-4-35 for furnishing his opinion. On this reference, the Government Agent submitted a report to the Muzarai Commissioner in his No. 367/3-1-36 stating that circumstances under which the compromise was effected between the Mutt and the opponent and suggested that the case may be treated as an alienation, as sanction of Government has not been obtained for making the free gift of lands belonging to the Mutt. The Muzarai Commissioner in his No. C. 196/35-36 dated has ordered to treat this as an alienation and to take action under section 30 of the Mysore Religious and Charitable Institutions Regulation.

The case was taken on file and enquiries were held in the mat The counsel for the opponent has filed a written statement and memo of arguments.

The grounds of the opponents are:-

1. That the inam lands now in possession of the opponent were

gifted so long back as 1852 to the father of the opponent by the Swami of the Mutt, and to legalise and specify the extent of grant, a deed of grant of 1860-61 came into existence.

2. That the opponent has filed a copy of the inam title deed., that the Commissioner has confirmed the Inam which included the minor inam granted to the opponent's father and that the lands granted are held free.

3. That the inam was granted in favour of the opponent's father in the year 1852 by means of a deed of grant as stated by Subba Liksnit in his statement in Criminal Mis. 44/27-28 and that the inam lands were in their possession from 1852 without any disturbance as to their possession.

4. That he is in possession of the lands for over 100 years and that the Government has no power to take action under the Religious and Charitable endowment Regulation as per Proviso to section 10 of the above act.

5. That in the compromise petition it is stated that he should continue to be in possession of the lands and enjoy the same free of rent as before.

6. That so long as the decree (O.S. 196/30-31) is in force, it is not open to any one to question the right of this opponent to his present possession and that the lands cannot be resumed.

7. That the Government having the Mutt's management cannot raise fresh issues when the matter has been set at rest.

Section 10 para 2 of the Religious and Charitable Institutions Regulation lays down "that the alienations made prior to 31st day of January 1853 shall be dealt with in accordance with the Inam rules contained in Chief Commissioner's Notification No. 266 dated 17-11-1877.

Rule II A of the Chief Commissioner's Notification No. 266 dated 17-11-1877 reads that "where such alienation made prior to the 31st January 1853 but within 60 years computing the period of possession upto 14-12-1867 the lands or villages so alienated will

the Jodi or assessment so imposed being payable direct to the institution from which they were alienated" But this rule is not applicable in the present case, as the alienation Has taken place subsequent to 1853, as a deed of grant has come into existence in 1860-61 for the first time. The opponent merely states that the inam lands were in his possession from a time so long ~~x~~ ago as 183/ This is a contention whihh cannot be accepted as there is no satisfactory proof of the same.

In regular Appeal No. 155 of 24-25 Keshava Iyengar Vs the Deputy Commissioner and Muzarai Officer, etc. Vol. 34 of the Mysore Chief Court Reports, dated 7-9-1928, a case of a similar nature has been decided as per section 14 of the old Muzarai Regulation and on the Chief Commissioner's Notification of 1877., Section 10 of the present Regulation corresponds with section 14 of the previous regulation. The learned Counsel for the opponent contends that the Chief Commissioner's Notification referred to above has been repealed with the passing of the present Regulation. This ~~x~~ view is unsupported by any satisfactory authority.

It is to be pointed out here t at such grants are not governed by section 10 para 2 of the Religious and Charitable Institutions Act., but they are governed as per terms of section 30 of the same act. According to this section, a grant whihh is made without the previous sanction of Government is null and void. Section 30 referred to above is subject to the provision ~~xx~~ that alienationsmade prior to 31st January 1853 shall be dealt with in accordance with the Inam Rules contained in the Chief Commissioner's Notification No. 266 dated 17-11-1877.

The opponent contends that the lands have been granted by

means

(52)

means of a deed of gift by the Swamiji of the Mutt. In the compromise petition presented by the opponent and the Mutt authorities, it has been stated that he should be continued to be in possession of the lands free of rent as before and it has been decreed accordingly by the Munsiff in O.S. 196/30-31 and that the lands cannot be resumed by Government when the matter has already been disposed of. But it is to be pointed out here that Government is not a party to this compromise, Hangrahal is an Inam village granted by the Government for the up-keep of the Mutt. The swami of the Mutt cannot alienate the lands and if such lands are alienated without the sanction of the Government, the grant shall be null and void as already stated above.

In the present case, the opponent has been granted lands by means of a "pana patra" by the Swami of the Mutt in the year 1860-61. Even if the compromise has been entered into is in June 1932, according to which some lands in this village have been given free of rent or assessment, this compromise is a unauthorised and prejudicial to the interest of the Mutt. As sanction of Government has not been obtained to these grants, they have to be considered as alienations Vide Rule 30 of Muzarai Regulation.

Under these circumstances, I consider that the transactions are illegal and contrary to the provisions of the Muzarai Regulation and as such I direct that the lands should be resumed and restored to the Mutt under Section 30 of the Muzarai Religious and Charitable Institutions Act of 1927.

15-8-1938.

Sd. Syed Abdul Aleem,
Assistant Commissioner, Shimoga
Sub Division.

'Copy'

Syed Abdul Aleem
Deputy Commr

G.V.2/

Muzg 106-36 14 (53)

M. O. 18]
No. C 196/35-36

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 4th May *193* 9

FROM

S. ABDUL WAJID, Esq., B.A.,
~~K. V. ANANTARAMAN, Esq., B.A.,~~
Muzrai Commissioner in Mysore.

To

J. Appaji Gowda, Esq., B.A.(Hon.),
Secretary to the Government of His Highness
the Maharaja of Mysore,
General *Department.*

8 - MAY 1939
1464
MUZRAI BR

GENL
8 MAY
SH.

Resumption of certain lands in Hangarahal Inam Village, Kumsi Sub Taluk, belonging to Sri Kudli Sringeri Mutt, and execution of certain decrees assigned to the Mutt.

In continuation of my letter No.C.196/35-36 dated 23-2-1939 re. the above, I have the honor to state that the Government Agent of Sri Kudli Sringeri Mutt, who has not yet submitted a report of the further progress of the execution of the decrees in question in spite of several reminders, has been instructed to submit the report called for immediately, with explanation for the delay. On receipt of the Agent's report, another communication will be made.

2. As regards the question of resumption of the inam lands, the Deputy Commissioner, Shimoga District, in his letter No.Muz.App.1/38-39 dated 26-4-1939 (copy together with ~~that of~~ its enclosure enclosed), reports that the party (Yagnanarayana Dikshit) has preferred an appeal against the Order of the Sub Division Officer, directing the resumption of the lands, that the case was taken up and the appellant heard on 1st April 1939. As this is an important matter, the Deputy Commissioner considers it desirable that the Mutt should engage Counsel, to represent the case on behalf of the Mutt, as the appellant is represented by an advocate. I agree with the Deputy Commissioner in his views; and have requested him to engage a Counsel on behalf of the Mutt, to represent its case in the appeal, the cost thereof being met from the funds of the Mutt. In the above circumstances, I request that the action I

by me may kindly be approved.

I have the honor to be,

Sir,

Your most obedient servant,

Abdul Majid.

Muzrai Commissioner.

(55)

Letter No.Muz.App.1/38-39 dated 26-4-39 from the Deputy Commissioner, Shimoga District, to the Muzrai Commissioner in Mysore.

Subject:- Resumption of certain lands in Hangarahal Inam village, Kumsi Sub Taluk, belonging to Sri Kudli Sringeri Mutt.

In continuation of this office letter No.Muz.C.1546/36-37 dated 13-11-38 on the above subject, I have the honor to state that the party (Ya narayana Dikshit) has preferred an appeal against the order of the Sub Division Officer directing the resumption of the inam lands in question. The case was taken up and the appellant heard on 1-4-39. During the course of the arguments, the Advocate represented that he would give a list of other references which the Court may peruse before passing final orders. He has accordingly given a list, a copy of which is enclosed herewith for reference.

The appellant is represented by an Advocate and the other party viz., Sri Kudli Mutt is not represented at all. This is an important matter and I feel that it is desirable that the Mutt should engage counsel to represent its case. If you agree, I would ~~suggest~~ request the favour of your issuing needful orders on the subject.

"Copy" M. N. Ananthaw.

For Muzrai Commissioner.

60

In the Court of the District Muzrai Officer,
Shimoga.

Muz.C. 1346/36-37.

Appellant:- H. Naganarayanadikshit

VS

Respondent:- Sri Kudli Sringeri Mutt.

Memo filed on behalf of the appellant.

The following documents may be kindly got/they ~~x~~ are as necessary for the just determination of this case.

1. Takeed from Fouzdar Venkatarajiah directing the confirmation of the village Hangarahalu (Now Valukeswarapura) Kumsi Sub Taluk to Sringeri Mutt. This is in the year 1826.

2. Inam register showing the details of the grant of t village Hangarahalu of Kumsi Sub Taluk (then Honnali Taluk) in favour of the Kudli Sringeri Swami and the ~~x~~confirmation of th same by the Inam Commissioner on 21-12-1869, and subsequent changes if any ordered regarding minor Inams.

3. Inam register showing a statement of the Inamdars and Anubhavadars of Hangrahalu Inam village.

4. Deed of gift in the year 1832 of "Kade Gadde and Tottinahankalu" in favour of the appellant's father Subramanya Somayaji by the then Swamiji of Kudli Mutt. This document is in the possession of the Kudli Mutt.

5. The original gift deed made by Medikere-Nayaka, palyagar, in favour of the then Swamigalu of the Kudli Sringeri Mutt as a gratitude for certain blessings conferred by the Swamigalu on the palegar.

Sd. H.R. Ranganatha Rao,
Vakil for appellant.
21-4-39

'Copy'

For Deputy Commissioner,
Shimoga District.
26-4-39

S.V./

(57)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 1326/Mz 106-38 R *Dated, Bangalore,* 17th February 1939.

From

The General Secretary to the Government of His Highness the Maharaja of Mysore.

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

Subject:- Resumption of certain lands in Hangarahal Inam Village, Kunsi Sub Taluk, belonging to Sri Kudli Sringeri Matt and execution of certain decrees assigned to the Mutt.

- - - - -

I am directed to invite reference to your letter No.196/35-36 dated 25th October 1938 on the subject referred to above and to request you to kindly submit further report promised by you in the matter very early.

I have the honour to be,
Sir,
Your most obedient servant,

for General Secretary to Government.

S.

Appendix H G—1]

(58)

SUBJECT .....

.....

.....

Section Hmz

File No. 106-36

Serial No. R

Diary No. of letter replied to.....

No. 1326

To

The Mysore Commissioner
in Mysore
Bangalore

General and Revenue Secretariat

( )

the *193* .

Date of issue 20. 2. 39.

Signed by M. S. K. V.

Sir,

Subject:- Resumption of Certain lands in Bangarahal Inam Village, Kunigal belonging to Sri Kadlibrunger Mutt and exemption of Certain decrees against the Mutt.

I Am directed to invite reference to your letter No. C. 196/35-36 dated 25.1.38, on the above subject and to request you to kindly expedite the promised further report on the matter, very early as promised in your letter cited.

I have etc

for Secretary

List of enclosures.....

Copied by .. ..

Examined by..... .....

(MM 13/2) 9/2

(59)

18] No. C 196/35-36

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE.

1104.

Bangalore, 23rd February 1939.

FROM

S. ABDUL WAJID, Esq., B.A.,

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX,~~

Muzrai Commissioner in Mysore.

To

K. Subba Rao, Esq., B.A.,

Secretary to the Government of His Highness the Maharaja of Mysore,

General *Department*

GENL 25 FEB. '39

SIR,

Resumption of certain lands in Hangarahal Inam Village, Kumsi Sub Taluk, belonging to Sri Kudli Sringeri Mutt; and execution of certain Decrees assigned to the Mutt.

With reference to your letter No.1326/Muz.106-36-R dated 20-2-39 re. the above, I have the honor to state that the Government Agent of Sri Kudli Sringeri Mutt from whom a report re. the further progress of the execution of the decrees in question is called for, has reported on 14-2-1939, that he has written to the Mutt's Advocate at Shimoga who has been entrusted with the execution of the decrees in the matter and that soon after receipt of his reply , he would submit the report called for. The Agent has been reminded to-day, to submit the report without further delay; and on receipt of the same a further communication will be sent.

Submitted for perusal. The further communication promised will be awaited, if approved.

27-2

I have the honor to be,

Sir,

Your most obedient servant,

M. N. Narasimhan.

Assistant Commissioner

for Muzrai Commissioner.

(Absent from Head Quarters)

(b)

G. R. S. App. F VI—G 21

SUBJECT .....

.....

.....

5 copies

Section Mmz

File No. 106-36

Serial No. 15

Diary No. of letter replied to 1464

General and Revenue Secretariat

( )

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 12/37 193 &

Signed by M. S. Krishna Iyer

Read—

Correspondence ending letter No C196/35-36 dated from the M.C in Mysore Stating that as regards the Cessation of certain lands in Hanyarahalli village, Kunigal Sub Tk. belonging to the Kadu Kuruba Patel, Veerab

Order thereon.—No.

the Sub Divisional Officer, Channapatna Sub Dn, the Sub Divisional Bank Manager Yeyamanagudda Dikshit has preferred an appeal which has been heard on 1.6.'37-5, that being an important matter the has requested the D.C. Channapatna to enquire a complaint made by the Respondent Kadu Kuruba Patel to Cancel the Sale

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part ?

Under with said mark-

Order

Attached -

for
9/5

Dec 9, 1939

Genl Surgeons
RE
9/5

To WD

The Adjutant
- Comptroller
- D.C. Surgeon

Copy to Lieut Eichin

List of Enclosures

Copied by

Examined by

WD 0279—GPB—22,500—14-4-38

(62)

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :—

Correspondence ending with letter No.C.196/5-6 dated 6th May 1959 from the Tahsildar Commissioner in proceedings regarding the cancellation of certain land in Veeraveedi Puravileru, Tumkur Town, belonging to Sri Kurli Ringappa Gupta, ordered by the Assistant Officer, Himavathi Division to be conferred freely on Sri Venkatesh Lakshmikanthaiah has preferred an appeal which was heard on 1st April 1959, that both an important matter, he has requested the Deputy Commissioner, Shimoga to engage counsel on behalf of the respondent Sri Kurli Ringappa Gupta to represent the State's case in the appeal and remarked that his decision may be expedited, the case in which the counsel being now in the hands of the said Gupta.

Order No. 2004-6 Rev 106-26-15

Dated, Bangalore, 14th May 1959.

Approved.

for General Secretary to Government.

To

The Tahsildar Commissioner in Mysore,
The Controller to Government,
The Deputy Commissioner, Shimoga.